

Message Text

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CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DODE-00 DOTE-00

EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00 H-02 INR-07

INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01

OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06

SAL-01 AF-08 ARA-06 EA-07 EUR-12 NEA-10 (ISO) W
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R 042258Z MAY 76

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 7311

INFO AMEMBASSY BELGRADE

AMEMBASSY HELSINKI

AMEMBASSY ANKARA

AMEMBASSY ATHENS

C O N F I D E N T I A L SECTION 1 OF 3 USUN 1938

FROM LOS DEL

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS COMMITTEE II MEETING, APRIL 28, 1976

1. SUMMARY. COMMITTEE II MET TWICE IN INFORMAL SESSION, COMPLETING DISCUSSION OF ARTICLE 133 (DEFINITION OF ENCLOSED OR SEMI-ENCLOSED SEAS), ARTICLE 134 (OBLIGATIONS OF STATES BORDERING ENCLOSED OR SEMI-ENCLOSED SEAS), ARTICLE 135 (PROVISIONS OF THIS PART NOT AFFECTING RIGHTS AND DUTIES UNDER OTHER PROVISIONS OF THE CONVENTION), ARTICLE 136 (TERRITORIES UNDER FOREIGN OCCUPATION OR COLONIAL DOMINATION), ARTICLE 137 (SETTLEMENT OF DISPUTES), ANNEX I (HIGHLY MIGRATORY SPECIES) AND A PROPOSED ADDITIONAL ANNEX FOR A BOUNDARY COMMISSION FOR CONTINENTAL
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SHELF DELIMITATION. DOMINATING THE DEBATE ON ENCLOSED

AND SEMI-ENCLOSED SEAS WERE EFFORTS TO CLARIFY THE DEFINITION OR TO EXPAND OR NARROW IT TO MEET PARTICULAR SITUATIONS AND EFFORTS TO MAKE PERMISSIVE WHAT IS PRESENTLY SET OUT AS AN OBLIGATION ON THE PART OF STATES BORDERING ENCLOSED OR SEMI-ENCLOSED SEAS TO COOPERATE ON A NUMBER OF CRITICAL ISSUES. PROPOSALS FOR ADDITIONAL ARTICLES WERE OFFERED TO PROTECT NAVIGATION OR TO REACH THE QUESTION OF EQUITABLE MANAGEMENT OF THE RESOURCES IN THESE SORTS OF SEA AREAS. DEBATE ON ARTICLE 136 REPORTED SEPTEL. ANNEX I AND ARTICLE 137 DREW VERY LITTLE COMMENT AND, ALTHOUGH CANADA INTRODUCED ITS PROPOSAL FOR A BOUNDARY COMMISSION, THE CHAIR RULED THAT A DEBATE AT THAT TIME WOULD BE PREMATURE, SINCE AN OPPORTUNITY WAS NEEDED TO STUDY THE PROPOSAL. AT THE END OF THE FINAL MEETING, CHAIRMAN AGUILAR STATED THAT HE HOPED TO HAVE A TEXT AVAILABLE FOR THE CONFERENCE BY THE END OF THE LAST WEEK OF THIS SESSION. END SUMMARY.

ARTICLE 133

--NETHERLANDS PROPOSED FOR THE EC-9 A REVISION (SEPTEL) OF THE ARTICLE DEFINING AN ENCLOSED OR SEMI-ENCLOSED SEA AS AN AREA SITUATED WITHIN TERRITORIAL SEAS OR EXCLUSIVE ECONOMIC ZONES OF TWO OR MORE COASTAL STATES HAVING ONLY A NARROW OUTLET. NETHERLANDS AMENDED THIS PROPOSAL TO PERMIT MORE THAN ONE SUCH OUTLET. THE REVISION WAS SUPPORTED BY FRANCE, FRG, MEXICO, UK, INDIA, VENEZUELA AND HONDURAS. NICARAGUA COULD SUPPORT THE PROPOSAL.

--FINLAND PROPOSED REVISION (SEPTEL) PROVIDING THAT THE AREA BE SURROUNDED BY TWO OR MORE STATES AND BE CONNECTED TO THE OPEN SEAS BY ONE OR MORE NARROW OUTLETS WAS SUPPORTED BY BOLIVIA, BYELORUSSIA, BULGARIA, HUNGARY, UKRAINE, CZECHOSLOVAKIA, GERMAN DEMOCRATIC REPUBLIC, AFGHANISTAN AND THE USSR, WHEN LINKED TO THE IRAQI PROPOSAL (SEPTEL) DESCRIBED BELOW.

--IRAQ PROPOSED (SEPTEL) THAT THE TITLE OF THE
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PART DELETE REFERENCE TO ENCLOSED SEAS AND THAT THE DEFINITION INCLUDE AREAS SURROUNDED BY TWO OR MORE STATES WHICH DOES NOT PERMIT THE ENTIRE AND COMPLETE APPLICATION OF MARINE SPACES PROVIDED FOR IN THE CONVENTION AND WHICH IS CONNECTED TO THE OPEN SEAS BY ONE OR MORE NARROW STRAITS TRADITIONALLY USED FOR NAVIGATION. THE IRAQI PROPOSAL ALSO PROVIDED THAT THE DEFINITION DID NOT INCLUDE SPACIOUS SEA BASINS

LOCATED BETWEEN CONTINENTS WHICH INCLUDED A NUMBER OF SEMI-ENCLOSED SEAS. IN ADDITION TO THOSE STATES MENTIONED ABOVE WHICH SUPPORTED THIS PROPOSAL AS LINKED TO THE FINNISH PROPOSAL, THE UAE, TUNISIA, KUWAIT, SUDAN, CUBA, JORDAN, YUGOSLAVIA, VENEZUELA, URUGUAY, YEMEN, SINGAPORE, DOMINICAN REPUBLIC, IRAQ AND UGANDA SUPPORTED IRAQ. SAUDI ARABIA, EGYPT, BAHRAIN, MOROCCO, AND TURKEY SUPPORTED THE REVISION OF THE TITLE AND PARAGRAPH 1. ALGERIA SUPPORTED THE TITLE, WHEN LINKED TO THE YUGOSLAVIAN AND TURKISH PROPOSALS (SEPTEL) INDICATED BELOW. PAKISTAN SUPPORTED THE PROPOSAL WITH THE DELETION OF REFERENCE TO THE TERRITORIAL SEA AND ECONOMIC ZONE. IRAN AND INDONESIA SUPPORTED THE TITLE ALONE.

--YUGOSLAVIA'S PROPOSAL TO DELETE QTE NARROW UNQTE BEFORE QTE OUTLET UNQTE WAS SUPPORTED BY SINGAPORE, IRAN AND INDONESIA, AS WELL AS BY ALGERIA UNDER THE CONDITIONS MENTIONED ABOVE.

--TURKEY'S PROPOSAL TO PROVIDE FOR ONE OR MORE OUTLETS AND TO PROVIDE FOR CUMULATIVE, RATHER THAN ALTERNATIVE, CRITERIA AND ADDING A SECOND PARAGRAPH INDICATING THAT THE PROVISIONS OF PARAGRAPH 1 SHALL NOT AFFECT THE REGIME OF WATERS OF ENCLOSED AND SEMI-ENCLOSED SEAS UNDER THE PRESENT CONVENTION, WAS SUPPORTED BY ALGERIA, PAKISTAN, PHILIPPINES, SINGAPORE, AND AFGHANISTAN. IRAN AND INDONESIA SUPPORTED THE PROPOSAL UNDER THE CONDITIONS INDICATED ABOVE. URUGUAY SUPPORTED IN PRINCIPLE.

--GREECE PROPOSED THAT THERE BE NO SPECIFIC REGIME FOR ENCLOSED AND SEMI-ENCLOSED SEAS. CYPRUS SUPPORTED THE CONFIDENTIAL

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PROPOSAL, AND NICARAGUA PREFERRED IT. BULGARIA INDICATED SYMPATHY.

--FRANCE PROPOSED TO SUBSTITUTE QTE OR UNQTE FOR QTE AND UNQTE IN THE TITLE. U.S.S.R. AND CZECHOSLOVAKIA SUPPORTED.

--THE U.S. INDICATED THAT ITS ATTITUDE ON ARTICLE 133 DEPENDED UPON THE SUBSTANCE OF ARTICLES 134 AND 135, AS AMENDED. IT STATED THAT IF THERE WERE ANY EXPANSION OF ARTICLE 133 OR THE OTHER ARTICLES, WE WOULD SEEK THE DELETION OF THE PART. WE STATED FIRMLY, MOREOVER, THAT WE WERE IN FAVOR OF THE TIGHTENING OF THE DEFINITION TO PROVIDE THAT THE CRITERIA OF THE DEFINITION BE CUMULATIVE RATHER THAN ALTERNATIVE.

ARTICLE 133 BIS

--FINLAND PROPOSED ARTICLE 133 BIS, PROVIDING THAT,
QTE 1. PROVISIONS OF THE PRESENT CONVENTION SHALL BE
APPLIED TO AN ENCLOSED OR SEMI-ENCLOSED SEA IN A MANNER
CONSISTENT WITH THE SPECIAL CHARACTERISTICS OF THAT SEA
AND THE NEEDS AND INTERESTS OF ITS COASTAL STATES.

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INFO OCT-01 ISO-00 FEA-01 ACDA-07 AGR-05 AID-05 CEA-01

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SAL-01 AF-08 ARA-06 EA-07 EUR-12 NEA-10 /156 W

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C O N F I D E N T I A L SECTION 2 OF 3 USUN 1938

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2. IN EXERCISING THEIR RIGHTS UNDER ARTICLE 45 PARAGRAPH 1
(B) AND (C) (I) OF PART II OF THE PRESENT CONVENTION. STATES
BORDERING ENCLOSED OR SEMI-ENCLOSED SEAS SHALL TAKE INTO
ACCOUNT THE SPECIAL CONDITIONS OF THE AREA AND PARTICULARLY
THE INTERESTS OF INTERNATIONAL NAVIGATION UNQTE. THIS WAS
SUPPORTED BY ETHIOPIA, ALGERIA, BOLIVIA, U.S.S.R. (STRONGLY),
IRAQ. TURKEY SUPPORTED PARAGRAPH 1 AS A MODIFICATION OF

ITS OWN PROPOSAL SET FORTH BELOW AND PARAGRAPH 2 AS A SEPARATE ARTICLE. INDONESIA SUPPORTED PARAGRAPH 1. ROMANIA SUPPORTED THE PROPOSAL AND SUGGESTED THAT IT BE COMBINED WITH THE IRAQI PROPOSAL FOR ARTICLE 134 BIS SET FORTH BELOW. CZECHOSLOVAKIA SUPPORTED THE PROPOSAL, WITH THE MODIFICATION TO ADD AT THE END OF PARAGRAPH 1, QTE AND THE LAND-LOCKED STATES LOCATED IN ITS NEIGHBORING AREA UNQTE OR QTE AND THE

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LAND-LOCKED STATES LOCATED IN ITS VICINITY UNQTE. AUSTRIA, UKRAINE, BYELORUSSIA, POLAND, BULGARIA, GDR, SUPPORTED THE FINNISH PROPOSAL WITH CZECHOSLOVAKIA'S MODIFICATION. SUDAN OPPOSED.

--THE UNITED ARAB EMIRATES PROPOSED AN ARTICLE 133 BIS AS FOLLOWS, QTE 1. WHERE AN OUTLET OR A STRAIT OF A SEMI-ENCLOSED SEA IS USED FOR INTERNATIONAL NAVIGATION, BETWEEN TWO PARTS OF HIGH SEAS, ALL SHIPS AND AIRCRAFT SHALL ENJOY FREEDOM OF NAVIGATION AND OVERFLIGHT IN ACCORDANCE WITH SECTIONS 1 AND 2 OF PART II. 2. IN OUTLETS OF STRAITS OF SEMI-ENCLOSED SEAS USED FOR INTERNATIONAL NAVIGATION BETWEEN ONE PART OF THE HIGH SEAS AND THE TERRITORIAL SEA OF A FOREIGN STATE, THE REGIME OF INNOCENT PASSAGE, IN ACCORDANCE OF SECTION 3 OF PART I SHALL APPLY. 3. THE PRESENCE OF ISLANDS, ARTIFICIAL ISLANDS, STRUCTURES OR INSTALLATIONS IN SEMI-ENCLOSED SEAS, SHALL IN NO WAY AFFECT THE FREEDOM OF NAVIGATION OF OVERFLIGHT REFERRED TO IN PARAGRAPH 1. 4. THE REGIME OF PASSAGE AS PROVIDED FOR IN PARAGRAPHS 1 AND 2 SHALL NOT AFFECT THE STATUS OF WATERS FORMING SUCH STRAITS OR OUTLETS UNQTE. UGANDA, ETHIOPIA, ROMANIA, POLAND, BULGARIA, EGYPT, BYELORUSSIA, UKRAINE, BAHRAIN, TURKEY AND THE U.S.S.R. (STRONGLY) SUPPORTED. AUSTRIA INDICATED SYMPATHY.

--TURKEY PROPOSED AN ARTICLE 133 BIS AS FOLLOWS, QTE STATES BORDERING ENCLOSED OR SEMI-ENCLOSED SEAS SHALL APPLY VIS-A-VIS EACH OTHER, THE PROVISIONS OF THE PRESENT CONVENTION IN A MANNER CONSISTENT WITH EQUITY, TAKING INTO ACCOUNT THE SPECIAL CHARACTERISTICS OF THAT SEA AND THE INTERESTS AND NEEDS OF ITS COASTAL STATES UNQTE. IRAQ, BOLIVIA, PAKISTAN AND ALGERIA SUPPORTED. GREECE OPPOSED.

NEW ARTICLE 134

--YUGOSLAVIA PROPOSED A NEW ARTICLE 134 AS FOLLOWS: QTE 1. ALL SHIPS AND AIRCRAFT SHALL ENJOY FREEDOM OF NAVIGATION AND OVERFLIGHT IN OUTLETS CONNECTING ENCLOSED AND SEMI-ENCLOSED SEAS WITH THE OPEN SEAS AND USED FOR INTERNATIONAL NAVIGATION. 2. PROVISIONS IN PARAGRAPH 1 OF THIS ARTICLE APPLIES TO NAVIGATION AND OVERFLIGHT BEYOND THE LIMITS OF

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TERRITORIAL SEAS OF COASTAL STATES ESTABLISHED IN ACCORDANCE WITH ARTICLE 2 OF THE PRESENT CONVENTION. UNQTE. THIS WAS SUPPORTED BY SUDAN, ROMANIA, BOLIVIA, ALGERIA, ETHIOPIA, GDR, BULGARIA, POLAND, UKRAINE, BAHRAIN AND U.S.S.R. SUPPORTED PARAGRAPH 1 ONLY. CZECHOSLOVAKIA SUPPORTED THE PROPOSAL WITH THE AMENDMENT IT HAD OFFERED TO FINLAND'S PROPOSAL. AUSTRIA SUPPORTED THE YUGOSLAV PROPOSAL WITH THE CZECHOSLOVAK MODIFICATION. TURKEY SUPPORTED THE PROPOSAL WITH THE MODIFICATION TO ADD AT THE BEGINNING OF PARAGRAPH 1, QTE NOTWITHSTANDING THE PROVISIONS OF PART 2 OF THIS CONVENTION, UNQTE.

ARTICLE 134

--TURKEY PROPOSED THAT THE CHAPEAU OF THE ARTICLE BE REVISED TO READ, QTE STATES BORDERING ENCLOSED OR SEMI-ENCLOSED SEAS SHALL ENDEAVOR THROUGH BILATERAL OR MULTILATERAL AGREEMENTS AND THROUGH REGIONAL ORGANIZATIONS, AS APPROPRIATE: UNQTE. THIS WAS SUPPORTED BY TONGA, SENEGAL, GABON, MEXICO, COLOMBIA (STRONGLY), NICARAGUA, HONDURAS, ALGERIA, CHILI, BAHAMAS, PERU, ECQUADOR, JAMAICA, HAITI, NIGERIA, AUSTRALIA, MOROCCO, CUBA, EGYPT, CAPE VERDE AND TONGA. THE U.K. WAS SYMPATHETIC.

--TUNISIA PROPOSED TO REPLACE QTE SHALL UNQTE WITH QTE MAY UNQTE OR TO ADOPT THE TURKISH LANGUAGE OR OPEN SUB-PARAGRAPH (A) WITH QTE COORDINATE THEIR POLICIES UNQTE. TUNISIA'S PROPOSAL TO SUBSTITUTE QTE MAY UNQTE FOR QTE SHALL UNQTE WAS SUPPORTED BY IRAN, GREECE, SOMALIA, SUDAN, U.S., YEMEN, SAUDI ARABIA, GUATEMALA, HONDURAS, ALGERIA, BRAZIL, ETHIOPIA, BAHAMAS, PERU, CYPRUS, ECQUADOR, HAITI, NIGERIA, AUSTRALIA, MOROCCO, GAMBIA, EGYPT, TOGO, TONGA, SENEGAL AND GABON. THE U.K. WAS AGAIN SYMPATHETIC.

--VENEZUELA COULD ACCEPT ANY PROPOSAL WHICH MADE THE ARTICLE PERMISSIVE.

--ISRAEL TOOK A SIMILAR VIEW.

--THE UNITED ARAB EMIRATES PROPOSED FOR REVISION AS FOLLOWS: QTE STATES BORDERING SEMI-ENCLOSED SEAS SHALL
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COOPERATE WITH EACH OTHER IN A MANNER CONSISTENT WITH THE

PROVISIONS OF THIS CONVENTION. TO THIS END, THEY SHALL, DIRECTLY OR THROUGH APPROPRIATE ARRANGEMENTS: (A) COORDINATE THE MANAGEMENT, CONSERVATION, EXPLORATION AND EXPLOITATION OF THE LIVING RESOURCES TO AVOID EFFECTS DETRIMENTAL TO FISHING COMMUNITIES AND TO INSURE THAT THESE RESOURCES SHALL NOT BE ENDANGERED BY OVER-EXPLOITATION UNQTE. SUBPARAGRAPHS (B) AND (C) AND (D) REMAIN THE SAME AS IN THE SNT. U.S.S.R. INDICATED THAT THE CHAIR SHOULD GIVE CONSIDERATION TO THIS PROPOSAL.

--GREECE PROPOSED TO DELETE THIS ARTICLE (OR COULD ACCEPT THE TUNISIAN PROPOSAL AS INDICATED ABOVE). HONDURAS AND GUATEMALA SUPPORTED THE PROPOSAL.

--INDIA PROPOSED TO SUBSTITUTE QTE SHOULD UNQTE FOR QTE SHALL UNQTE, IN ORDER TO PROMOTE THE BASIC CONCEPT OF COOPERATION IN ARTICLE 134 AND TO REMOVE THE OBLIGATORY ELEMENT THEREIN. THERE WAS NO SUPPORT FOR THIS.

--IRAQ PROPOSED A SECOND SENTENCE OF THE CHAPEAU, QTE TO THIS END, THEY SHALL DIRECTLY OR THROUGH APPROPRIATE REGIONAL ARRANGEMENTS OR AGREEMENTS' UNQTE AND A REVISION OF SUBPARAGRAPH (A), QTE COORDINATE THE MANAGEMENT, CONSERVATION, EXPLORATION, AND EXPLOITATION, OF THE LIVING RESOURCES OF THE SEA TO ENABLE THEM TO OBTAIN AN EQUITABLE SHARE, UNQTE AND TO SUBPARAGRAPH (B), QTE COORDINATE THE IMPLEMENTATION OF INTERNATIONAL OR REGIONAL GENERALLY ACCEPTED STANDARDS AND MEASURES WITH RESPECT TO THE PRESERVATION OF THE MARINE ENVIRONMENT UNQTE. SUBPARAGRAPH (C) WOULD REMAIN THE SAME AS IN THE SNT AND SUBPARAGRAPH (D) WOULD READ, QTE MAY INVITE, AS APPROPRIATE, OTHER INTERESTED STATES OR INTERNATIONAL ORGANIZATIONS TO COOPERATE WITH THEM IN THE FURTHERANCE OF THE PROVISIONS OF THIS ARTICLE UNQTE. BAHRAIN SUPPORTED THIS PROPOSAL AND THE U.S.S.R. INDICATED THAT THE CHAIR SHOULD CONSIDER IT.

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C O N F I D E N T I A L SECTION 3 OF 3 USUN 1938

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--DENMARK PROPOSED THAT SUBPARAGRAPH (A) READ QTE
NEGOTIATE REGIONAL AGREEMENTS CONCERNING THE MANAGEMENT,
CONSERVATION, EXPLORATION, AND EXPLOITATION OF THE LIVING
RESOURCES OF THE SEA, SO AS TO FIND AN EQUITABLE SOLUTION
TO PROBLEMS RESULTING FROM THE INTRODUCTION OF ECONOMIC
ZONES AFFECTING TRADITIONAL FISHING ACTIVITIES OF THE
BORDERING STATES UNQTE. THIS WAS SUPPORTED BY BAHRAIN,
BELGIUM AND ITALY. THE FRG SUPPORTED THE PROPOSAL, IF
THE NETHERLANDS PROPOSAL IN ARTICLE 133 WAS ACCEPTED.
THE U.S.S.R. AGAIN, INDICATED THAT THE CHAIR SHOULD CON-
SIDER THIS PROPOSAL.

--YUGOSLAVIA PROPOSED A NEW SUBPARAGRAPH (D) TO READ,
QTE COORDINATE WHERE APPROPRIATE, THE DESIGNATION OF SEA-
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LANES AND THE PRESCRIPTION OF TRAFFIC SEPARATION SCHEMES.
UNQTE THIS WAS NOT SUPPORTED.

--ALBANIA, MADAGASCAR, GUINEA, SOMALIA, AND CAMBODIA
INDICATED THAT THERE SHOULD BE A SPECIAL REGIME FOR THE
PASSAGE OF WARSHIPS THROUGH PASSAGES LEADING TO SEMI-
ENCLOSED AND ENCLOSED SEAS. THIS REGIME WOULD INCLUDE AT
LEAST PRIOR NOTIFICATION.

--ROMANIA OFFERED A NEW ARTICLE AS FOLLOWS, QTE
COASTAL STATES OF ENCLOSED OR SEMI-ENCLOSED SEAS SHALL
COORDINATE, INCLUDING THROUGH APPROPRIATE INTERNATIONAL
ORGANIZATIONS IN THE REGION, THE EXPLORATION AND EXPLOITA-

TION OF RESOURCES, SCIENTIFIC RESEARCH, PRESERVATION OF THE MARINE ENVIRONMENT AND IN OTHER FIELDS UNQTE. THIS WAS NOT SUPPORTED.

ARTICLE 134 BIS

--IRAQ PROPOSED ARTICLE 134 BIS AS FOLLOWS QTE

1. IN STRAITS USED FOR INTERNATIONAL NAVIGATION CONNECTING SEMI-ENCLOSED SEAS WITH THE OPEN SEAS, THE RIGHT OF FREE TRANSIT PASSAGE SHALL BE MAINTAINED FOR ALL SHIPS AND AIRCRAFT IN COMPLIANCE WITH SECTIONS 1 AND 2 OF PART II OF THIS CONVENTION. 2. THE EXISTENCE OF ISLANDS, ARTIFICIAL ISLANDS, INSTALLATIONS AND STRUCTURES IN THE SEMI-ENCLOSED SEAS SHALL NOT AFFECT IN ANY WAY THE FREEDOM OF INTERNATIONAL NAVIGATION THROUGH THE TRADITIONAL SEALANES. 3. THE DELIMITATION OF MARINE SPACES BETWEEN ADJACENT OR OPPOSITE STATES IN THE SEMI-ENCLOSED SEAS SHALL BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THIS CONVENTION AND WITH THE PRINCIPLES OF EQUITY AND WITH DUE REGARD TO SPECIAL GEOGRAPHICAL CIRCUMSTANCES. UNQTE. THIS WAS SUPPORTED BY UGANDA, ROMANIA, GDR, BULGARIA, POLAND, BOLIVIA, BYELORUSSIA, IRAN, UKRAINE, BAHRAIN, AND USSR (STRONGLY). SAUDI ARABIA SUPPORTED PARAGRAPH 1 AND 2, KUWAIT SUPPORTED PARAGRAPHS 1, 2 AND 3 (BUT DELETING THE LAST PART OF PARAGRAPH 3, SO THAT THAT PARAGRAPH WOULD END WITH QTE CONVENTION UNQTE. CUBA ALSO SUPPORTED PARAGRAPHS 1 AND 2, PAKISTAN SUPPORTED PARAGRAPH 3, AND ETHIOPIA SUPPORTED PARAGRAPHS 1, 2 AND 4. AUSTRIA SYMPA-
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THIZED WITH THE PROPOSAL AND INDICATED THAT IT COULD BE IMPROVED, IF IT INCLUDED A REFERENCE TO ARTICLE 57.

ARTICLE 135

--FINLAND PROPOSED THAT THE ARTICLE READ, QTE WITHOUT PREJUDICE TO ARRANGEMENTS CONCERNING SUBJECTS UNDER ARTICLE 133 BIS AND 134 AGREED UPON BY STATES BORDERING AN ENCLOSED OR SEMI-ENCLOSED SEA, PROVISIONS OF THIS PART SHALL NOT AFFECT THE RIGHTS AND DUTIES OF COASTAL OR OTHER STATES IN THE PRESENT CONVENTION. UNQTE. THIS WAS SUPPORTED BY TURKEY, IRAQ, AND ROMANIA.

--TURKEY PROPOSED THAT THE ARTICLE SIMPLY READ, QTE THE PROVISIONS OF THIS PART SHALL NOT AFFECT THE RIGHTS AND DUTIES OF OTHER STATES UNDER THE PROVISIONS OF THE PRESENT CONVENTION. UNQTE THIS WAS SUPPORTED BY IRAQ.

ARTICLE 136 (SEPTTEL)

ARTICLE 137 (SETTLEMENT OF DISPUTES)

--NO COMMENTS.

ANNEX I (LIST OF HIGHLY MIGRATORY SPECIES)

--JAPAN PROPOSED DELETION. ECUADOR SUPPORTED.

--MEXICO PROPOSED TO USE THE SCIENTIFIC NAMES FOR THE LISTED SPECIES. PERU SUPPORTED.

CANADIAN PROPOSAL FOR ANNEX II

--CANADA PROPOSED AN ANNEX (POUCHED) CONTAINING PROVISIONS FOR A BOUNDARY COMMISSION FOR DELIMITATION OF THE OUTER LIMITS. THERE WAS NO PROVISION FOR DISPUTE SETTLEMENT. A METHOD OF SELECTION OF THE EXPERTS IS SET OUT. THE CHAIRMAN RULED THAT, ALTHOUGH THIS PROPOSAL COULD BE PRESENTED, IT COULD NOT BE DEBATED, DUE TO THE LENGTH OF THE PROPOSAL AND THE FACT THAT CONFIDENTIAL

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IT HAD BEEN MADE AVAILABLE ONLY AT THIS TIME. HE INDICATED HOWEVER, THAT THE PROPOSAL MIGHT WELL BE DEBATED BEFORE THE END OF THIS SESSION.
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